

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 021756-002100US
hereby certify that this correspondence is being filed via EFS-Web with the United States Patent and Trademark Office on <u>8/13/09</u> .	Application Number <u>10/731,604</u>	Filed <u>December 8, 2003</u>
TOWNSEND and TOWNSEND and CREW LLP By: _____ /Linda Shaffer/ Linda Shaffer	First Named Inventor <u>Karimisetty, Srikanth</u>	
	Art Unit <u>2168</u>	Examiner <u>Jay A. Morrison</u>

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

applicant/inventor.

/Sean F. Parmenter, Reg. No. 53,437/

Signature

assignee of record of the entire interest.

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8/13/09

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

*Total of _____ forms are submitted.

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TOWNSEND and TOWNSEND and CREW LLP

By: /Linda Shaffer/
Linda Shaffer

PATENT
Attorney Docket No. 021756-002100US
Client Ref. No.: OID-2003-067-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Srikanth Karimisetty et al.

Application No.: 10/731,604

Filed: December 8, 2003

For: METHOD AND SYSTEM FOR
CREATING QUERIES THAT OPERATE
ON UNSTRUCTURED DATA STORED
IN A DATABASE

Confirmation No. 4746

Examiner: Jay A. Morrison

Art Unit: 2168

**STATEMENT OF REASONS IN
SUPPORT OF PRE-APPEAL BRIEF
REQUEST FOR REVIEW**

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to the Notice of Appeal and the Pre-Appeal Brief Request for Review, both of which are submitted herewith for the above-referenced Application, Appellants respectfully submit the following arguments in support of the Pre-Appeal Brief Request for Review.

As set forth in detail below, the Examiner has omitted one or more essential elements needed for a *prima facie* rejection of obviousness. This deficiency is readily apparent, and thus, Applicants request withdrawal of the following rejections. Pending claims 1-3, 5, 11-12, 14, 16, 17, 19, and 20 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over non-patent literature entitled “Integrating XML and Database” by Bertino et al. (hereinafter “Bertino”), in view of U.S. Patent Application Publication No. 2005/0091188 (hereinafter “Pal”), and in further view of non-patent literature entitled “NoDoSE” by Adelberg (hereinafter

“Adelberg”). Claims 6-7, 15 ,and 20 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Bertino, in view of Pal, and in further view of Adelberg and U.S. Patent No. 7,346,598 (hereinafter “Arora”). Claims 9 and 10 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Bertino, in view of Pal, and in further view of Adelberg and Arora. Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable Bertino, in view of Pal, and in further view of Adelberg and U.S. Patent No. 6,856,970 (hereinafter “Campbell”).

In rejecting claim 1, the Examiner acknowledges that the combination of Bertino and Pal fails to disclose or suggest the feature recited in claim 1 of:

generating a first graphical user interface and displaying the first graphical user interface on a display device, the first graphical user interface configured to enable users to designate elements in the unstructured data as query elements; and

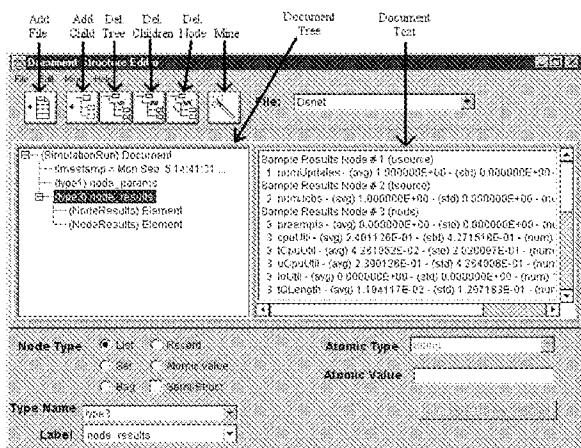
receiving user input via the first graphical user interface identifying one or more elements in the unstructured data stored in CLOB format as query elements;

In essence, unstructured data takes the form of e-mails, documents, and other data that cannot be neatly stored in a database. For example, an e-mail contains relevant portions, such as sender ID, recipient ID, subject, and body that are often difficult to separate out in their native due to how the e-mails may be formatted. Thus, when storing unstructured data in a database, the entire e-mail may be stored in CLOB format in the database. Even XML documents, that may appear structured internally, are considered unstructured data, and therefore stored in CLOB format in the database. Features recited in claim 1 a user to search not only a database, but within unstructured data stored in the database, by allowing the user to designate elements or portions in the unstructured data as query elements. Because native indexing cannot be used on CLOB fields to get to information in the unstructured data, as recited, an intermediate index is generated between each user created query element and its corresponding element designated by the user in the unstructured data. As recited, the index allows queries against the unstructured data to be translated from their query elements (e.g., those created by the user) into the elements or portions in the unstructured data that where designed by the user and information this obtained from the unstructured data.

The Examiner applies the new reference Adelberg attempting to cure the acknowledged deficiencies of Bertino and Pal. However, the Examiner errors in concluding that

the act of decomposing a document as in Adelberg is the same as allowing a user to create queries on unstructured data by designating elements in the data as query elements as recited in claim 1. Adelberg may allow a user to create elements in unstructured data that were not identifiable beforehand, but Adelberg fails to allow the user to designate any elements as query elements.

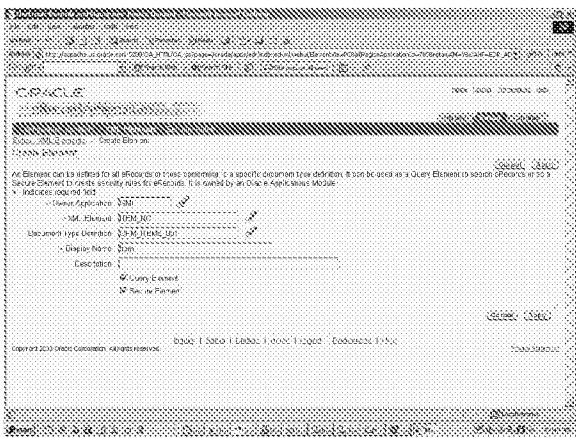
In particular, Adelberg discloses a graphical user interface that enables a user to simply decompose a document. Decomposing the document means that the user selects a



relevant section or portion of the document and maps the portion of data to one or more elements of a data model. As can be seen at the left, FIG. 4 of the GUI in Adelberg allows the user to add/delete nodes or elements in a data model and indicate to which portion of raw data an element refers. Thus, Adelberg merely allows a user to create a structure for otherwise unstructured data using the GUI.

However, Adelberg does not disclose that the GUI can also be used to designate elements in the unstructured data (or elements of the newly created data model) as query elements as recited in claim 1. Nowhere in the GUI does Adelberg allow the user to designate a node as a query element as recited in claim 1. Adelberg merely is concerned with how to develop a structure from the unstructured data that allows the unstructured data to be extracted in a meaningful way, such as into formatted text files or loaded into a database. In fact, Adelberg states on page 6, section 2.3, line 4 that the intent is not “to replace the querying and reporting functions of a DBMS [database management system] but to provide a quick means of writing simply files, such as comma or tab delimited tabular data for input into spreadsheets and the like.” (Emphasis added). Thus, Adelberg is just one mechanism by which unstructured data can be decomposed. As discussed above, some forms of unstructured data (e.g., XML files) may be accompanied with DTD files that provide the XML file structure. Yet, claim 1 goes beyond Adelberg’s disclosure of merely finding the elements in the unstructured data, but allowing a

user to designate which of those elements can be used in queries as query elements and providing a mechanism the translates user-created query elements into the referenced portions of the



unstructured data as recited in claim 1. FIG. 16 (at left) of the Applicants illustrates this difference where an XML element can be designated as a “query element” or “security element.” Adelberg fails to disclose or suggest such a feature.

Therefore, the Examiner fails to establish at least one element of a prima facie case of obviousness because the combination of Bertino, Pal, and Adelberg fail to disclose or

suggest the feature recited in claim 1 of “generating a first graphical user interface and displaying the first graphical user interface on a display device, the first graphical user interface configured to enable users to designate elements in the unstructured data as query elements” and “receiving user input via the first graphical user interface identifying one or more elements in the unstructured data stored in CLOB format as query elements.”

Applicants respectfully submit that none of the other recited references disclose this feature where a user can create queries on unstructured data by designating elements in the unstructured data as query elements as recited in claim 1.

Applicants respectfully submit that the remaining independent claims are allowable for at least a similar rationale as discussed above for the allowability of claim 1, and others. Applicants respectfully submit that the dependent claims that depend directly and/or indirectly from the independent claims, are also allowable for at least a similar rationale as discussed above for the allowability of the independent claims. Applicants further respectfully

submit that the dependent claims recite additional features that make the dependent claims allowable for additional reasons.

Respectfully submitted,

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